

**REMARKS**

The above amendment and these remarks are responsive to the Office Action of Examiner Gerald J. O'Connor, mailed 21 Sep 2005.

Claims 1-3, 20 and 21 are in the case, none being allowed.

**35 U.S.C. 101**

Claims 1-3, 20, and 21 have been rejected under 35 U.S.C. 101 as directed to non-statutory subject matter, as drawn to the production and/or manipulation of non-functional descriptive material, effecting no useful, concrete, and tangible result. [Office Action, page 3.]

Applying the decisions of *State Street Bank* and *AT&T Corp.* to applicant's claims, as current practice requires,

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clearly establishes the claims as allowable under 35 U.S.C. 101. As the court states in *State Street Bank*,

"Today we hold that the transformation of data, representing discrete dollar amounts, by a machine through a series of mathematical calculations into a final share price, constitutes a practical application of a mathematical algorithm, formula, or calculation, because it produces 'a useful, concrete and tangible result' ---a final share price momentarily fixed for recording and reporting purposes and even accepted and relied upon by regulatory authorities and in subsequent trades." [47 USPQ 2d at 1601.]

This analysis is rendered applicable to method claims by *AT&T Corp.*, as follows:

"...we are comfortable in applying our reasoning in *Alappat* and *State Street* to the method claims at issue in this case." [31 USPQ 2d 1545, 1452.]

Applicants claims recite the useful, concrete, and tangible end result of the requisitioner creating a requisition for goods and services, including (1) creating

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line items, (2) initiating proceed to accounting process, (3) selecting line items, and (4) selecting and populating fields necessary to the creation of valid requisition with properly designated general ledger accounting entries, the latter based on the company commodity document prepared by the administrator which presents general ledger accounts numbers and descriptions to the requisitioner.

Applicants have amended the claims to remove use limitations and thereby, hopefully, to more clearly recite the useful, concrete, and tangible result achieved. Applicants request that in the event the Examiner finds that the amended claims do not yet define subject matter that is statutory, that he "identify the features of the invention that would render the claimed subject matter statutory if recited in the claim". [See Interim Guidelines, page 16.]

Applicants urge that the rejection of claims 1-3, 2, and 21 under 35 U.S.C. 101 be reconsidered and withdrawn.

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## 35 U.S.C. 103

Claim 1-3, 20, and 21 have been rejected under 35 U.S.C. 103(a) over Gardner et al. (US 5,758,327).

With respect to claims 1-3, 20, and 21, the Examiner cites Gardner. Applicants set forth claim 1, the base claim to all of the others in the case, as presently amended, highlighted with italics to show those limitations which the Examiner read on Gardner, annotated with references to Gardner, and highlighted in bold to show the material which Gardner does not teach.

1. [Currently amended] *A method for creating a valid chart of accounts from which an administrator of a local enterprise can facilitate and enable a requisitioner to select a valid general ledger account when generating a requisition for goods and services, comprising the steps of:*

*establishing a communication link [30] with an external enterprise catalog computer system [12] and building with reference to said enterprise catalog computer system an appropriate chart of accounts in an*

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electronic storage device for a given company;

transmitting [36] from said enterprise catalog computer system a chart of accounts with descriptions to a requisition catalog computer system database [10] in a local enterprise specified format;

administrator selecting from said requisition catalog computer system database [10] valid accounts with descriptions for a given commodity [Col. 5:57 to 6:13] and purchase period for said given company, said description mapping general ledger account codes selected by said administrator to a given commodity code from an associated accounting computer system;

upon said requisitioner initiating a requisition creation process and selecting a commodity from a commodity description document, presenting said commodity codes to said requisitioner, initiating a proceed to accounting process, and presenting to said requisitioner a financial worksheet with valid general ledger accounts numbers and descriptions; and

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thereupon said requisitioner completing preparing said requisition by selecting general ledger accounting entries, from said description mapping general ledger account codes selected by said administrator to a given commodity code, and populating fields in said financial worksheet with properly designated general ledger accounting entries.

The Examiner refers to the material not read on Gardner as well known and in common use. Applicants request that the Examiner reconsider this analysis in view of the claim as a whole, and do so particularly in view of the amendments to the claims. As observed in the Interim Guidelines, a copy of which was kindly provided to applicants by the Examiner, "...a new combination of steps in a process may be patentable even though all the constituents of the combination [are] well known and in common use before the combination was made." [Interim Guidelines, page 10.] (In making this request, applicants do not agree, as will be more fully explained hereafter, that all of the steps and limitations not read Gardner are well known and in common use.)

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Thus, applicants draw to the attention of the Examiner two specific steps of their invention, most clearly stated in claim 3, but present in the base claim 1 as well. That is, first, the requisitioner selects what to order, referencing the commodity code; and, second, the system determines a narrow list of selected types of purchases and displays valid general ledger accounts and 'fields' for user entry. Claim 1 has been amended to specifically recite this "narrow list" by claiming "presenting only those general ledger accounting codes appropriate for a selected commodity code to said requisitioner".

The Examiner is correct in observing that companies typically provide account codes and descriptions. However, applicant's invention goes beyond that and recognizes that where hundreds of account codes are involved, there is an advantage in narrowing the list of account codes and descriptions to present to the requisitioner for selection. The list presented includes only those general ledger accounting codes appropriate for a selected commodity code and associated type of purchase, such as expenditure, asset, work in process, resale - thus eliminating the need for the requisitioner to select from a large list, such as may be expected of an accounting expert, but not a requisitioner.

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Thus, applicants invention involves the loading of commodity codes and charts of accounts, and expands on that concept in ways not taught by Gardner et al. The commodity codes and general ledger accounting codes are presented to a user (requisitioner) in a specific sequence that enhances the accuracy and simplifies the process for entering a requisition.

Applicants provide administrators the ability to connect commodity codes with a subset of the accounting codes, as appropriate for the business and country. In this way, a requester or requisitioner ordering an item that is not found in a catalog can still submit a requisition with complete and accurate accounting information. This concept is at the core of applicants' invention, which is front-end business logic and validation. It isn't enough to just load the commodity codes and charts of accounts. The requester needs to be provided a method by which he would be able to enter valid accounting data without a painful process of trial and error. There are hundreds of accounting codes in applicants' chart of accounts. By giving an administrator the ability to link a handful ("selects from req/cat system database valid accounts with descriptions for a given commodity...") of these codes with a given commodity code,

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and furthermore to provide a meaningful description of the accounting code, applicants have enhanced the shopping experience for the end user (claimed as the requisitioner), whether he is ordering from a catalog or not. Once a commodity code is selected, whether from the catalog or by commodity description only, the user then has a short list of just a few account codes (those selected by the administrator), along with a description of when each should be used, for selection when populating the fields of the requisition.

In this way, applicants have ensured that requisitions being sent for approvals are not rejected due to invalid accounting codes, and requisitions that are approved and sent to the processing system (ERP) also do not fail validation upon automated entry.

Applicants' specifically recite that the description maps account codes selected by the administrator to a given commodity code from an associated accounting system for use by a requisitioner to select the correct general ledger account when doing financial validation on a requisition for commodities. The independent claim in the case is limited to the requirement that upon the requisitioner selecting a

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commodity from a commodity description document and initiating a proceed to accounting process, the requisitioner is presented with a financial worksheet which presents valid general ledger accounts numbers and descriptions from which the requisitioner makes his selections and entries.

With respect to this concept, the Examiner states:

"...but Gardner et al. do not specifically disclose that the chart of accounts includes descriptions, nor that the valid accounts have a limited purchase period, nor presenting to the requisitioner a financial worksheet with valid general ledger account numbers and descriptions for selection by the requisitioner." (Office Action, page 4.)

The Examiner then continues:

"However, descriptions and valid periods (such as a name of the account and a particular valid fiscal year) for accounts are well known, hence obvious, elements to include in any system of requisitioning accounting so that the users know for what purpose each

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account is intended, or, in other words, providing a "mapping" or concordance between valid account codes/numbers and particular corresponding commodities/codes."

"Likewise, presenting accounting data comprising charts of accounts in the form of a financial worksheet with valid general ledger account numbers and descriptions for selection by the requisitioner, is certainly well known, hence obvious, step to follow in the field of accounting.

"Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Gardner et al., so as to include account descriptions and periods, as is well known to do, in order to facilitate selection of the proper account to which to charge a particular requisition, and to present to the requisitioner a financial worksheet with valid general ledger account numbers and descriptions for selection by the requisitioner, as is also well known to do, doing so simply as a matter of design choice, since making such modifications could be performed readily

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and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results." (Office Action, pages 4-5.)

Applicants respectfully traverse this conclusion.

Applicants argue that it is not merely the presentation of descriptions of each commodity code that is being claimed, but rather the circumstances under which those descriptions are presented and used by a requisitioner in creating a requisition for commodities or services. These individual elements of the invention may be known, but that is not the end of the inquiry, which must focus on the claim as a whole, recognizing that "a new combination of steps in a process may be patentable even though all the constituents of the combination [are] well known and in common use before the combination was made". [Interim Guidelines, cited above.]

The Examiner states that Gardner teaches "selecting from the requisition catalog computer system database 10 valid accounts with descriptions for a given commodity, column 5, line 57 to column 6, line 13." [Office Action, page 4]. This is what Gardner teaches:

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"In addition to identifying items and the costs of the items, the storing of the catalog may include storing commodity code structures and charts of accounts for the companies 12, 14 and 16 for transactions with the vendors 24, 26 and 28."

"The next step 40 in FIG. 2 is one in which an individual requestor 18 of FIG. 1 identifies one or more products or services. The item or items may be from the stored catalog or may be non-cataloged items."

"In operation, one of the requesters 18 of company 12 may browse the electronic catalog to determine whether a specific item is available. In addition to the general catalog, there may be a company-specific catalog available to the requesters 18 of company 12. The company-specific catalog may include items not available to the other companies 14 and 16 or may include discount and other pricing information different than the other companies. If the item is found by the requestor 18, a requisition form is completed by the requester. The requisition form may be stored at the central computer system 10 as part of the requisition rules 36 for the company. In addition

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to the identification of the item or items, the requisition form will include blocks regarding the identification of the company, any commodity code, any account code, etc." [Gardner, col. 5-6.]

Applicants contend that Gardner cannot be reasonably interpreted as teaching in the cited portion or elsewhere applicants invention, which includes, first, that the requisitioner selects what to order, referencing the commodity code; and, second, that the system determines a narrow list of selected types of purchases and displays valid general ledger accounts and 'fields' for user entry.

As claimed, the commodity code descriptions are presented in a financial worksheet responsive to a requisitioner initiating a proceed to accounting process. This accounting process is initiated after the requisitioner has selected the commodity from a commodity description document presenting the commodity codes. After initiating the proceed to accounting process, the requisitioner is then presented a financial worksheet with only a selected few valid general ledger accounts numbers and descriptions for selection by said requisitioner.

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The Examiner draws upon several alleged well known elements from the prior art, such as descriptions, valid periods, presenting charts of accounts to a requisitioner. Applicants demur, but argue that the combination of such elements in the manner claimed by applicants is not taught nor suggested by the prior art but rather by applicants own disclosure.

Applicants argue that it is not merely the presentation of descriptions of each commodity code that is being claimed, but rather the circumstances under which those descriptions are selected from a large body of accounts, and then presented to the requisitioner and used by him in preparing the requisition. As claimed, the commodity code descriptions are presented in a financial worksheet responsive to a requisitioner initiating a proceed to accounting process. This accounting process is initiated after the requisitioner has selected the commodity from a commodity description document presenting the commodity codes. After initiating the proceed to accounting process, the requisitioner is then presented a financial worksheet with a selected few valid general ledger accounts numbers and descriptions which facilitate selection by the requisitioner of just that account which is pertinent to his

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transaction.

Applicants urge that claims 1-3, 20 and 21 be allowed.


#### SUMMARY AND CONCLUSION

Applicants urge that the above amendments be entered and the case passed to issue with claims 1-3, 20, and 21.

Sincerely,

Jean-Paul Chollon, et al.

By

  
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